

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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YORKSHIRE TOWERS COMPANY L.P., and  
YORKSHIRE TOWERS TENANTS  
ASSOCIATION,

11 Civ. 1058 (TPG)

Plaintiffs,

-against-

UNITED STATES DEPARTMENT OF  
TRANSPORTATION, RAY LAHOOD, in  
his capacity as Secretary of the United States  
Department of Transportation, THE FEDERAL  
TRANSIT ADMINISTRATION, PETER M.  
ROGOFF, in his capacity as Administrator of the  
Federal Transit Administration, THE  
METROPOLITAN TRANSPORTATION  
AUTHORITY, JAY H. WALDER, in  
his capacity as Chairman of the Metropolitan  
Transportation Authority, THE NEW YORK CITY  
TRANSIT AUTHORITY, THOMAS F. PRENDERGAST,  
JR., in his capacity as the President of the New York  
City Transit Authority and THE METROPOLITAN  
TRANSPORTATION AUTHORITY CAPITAL  
CONSTRUCTION COMPANY, MICHAEL  
HORODNICEANU, in his capacity as President of  
the Metropolitan Transportation Authority Capital  
Construction Company,

**NOTICE OF APPEAL**

Defendants.

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Notice is hereby given that Plaintiffs Yorkshire Towers Company L.P. and  
Yorkshire Towers Tenants Association, hereby appeal to the United States Court of  
Appeals for the Second Circuit from the opinion and order, entered December 1, 2011,  
and ensuing judgment, entered December 5, 2011, which: (1) granted Defendants' motion  
to dismiss the Complaint on limitations grounds without leave to amend; and (2) upon

dismissing the Complaint, denied, as academic, Plaintiffs' motion for Preliminary Injunction.

Dated: New York, New York  
February 2, 2012

ANDERSON KILL & OLICK, P.C.

By: /s/ Jeffrey E. Glen

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*and Yorkshire Towers Tenants*  
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